

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOY YOSHIOKA,

No. C-11-1625 EMC

Plaintiff,

v.

ORDER RE STATEMENT OF FACTS

CHARLES SCHWAB CORPORATION, *et al.*,

(Docket No. 129)

Defendants.

The Court is in receipt of a “Statement of Facts” from class member Angela Real. Docket No. 129. Previously, Ms. Real filed a letter with the Court during the period in which class members could object to the proposed class settlement. Docket No. 61. However, her letter did not concern the proposed settlement; rather, it relayed complaints about Schwab’s service with respect to her IRA. *See id.*; *see also* Motion for Final Approval, Docket No. 104, at 11 (“Ms. Real does not appear to object to the settlement; rather, her correspondence sets forth a description of issues unrelated to the current settlement that Ms. Real has had with Schwab.”). Similarly, in Ms. Real’s Statement of Facts, she states that she has not received any response from Class Counsel regarding Schwab’s “ethical responsibilities.” In response, Class Counsel avers that “[s]ince Ms. Real’s issues are unrelated to this case and Class Counsel’s response was served on her, Class Counsel believe they have fulfilled their obligations towards Ms. Real and no further action is necessary.” Response to Angela Real’s Statement of Facts, Docket No. 130, at 2.


Indeed, Ms. Real’s letters do not concern any issue presented in this litigation; rather, they concern her need to make an early withdrawal from her IRA and Schwab’s duties to her with respect

1 to that issue. *See* Docket No. 61. Accordingly, the Court lacks power to order any relief, to the
2 extent Ms. Real's recent letter could be construed to request relief. Furthermore, because this matter
3 is currently stayed until further Court order, and the parties have been directed not to file any
4 motions with the Court absent leave, *see* Docket No. 126, at 23, the Court will not consider Ms.
5 Real's filing. Should the stay be lifted and should a new settlement be proposed to the Court, class
6 members may have an opportunity to object at that time on grounds pertinent to the proposed
7 settlement.

8 This Order disposes of Docket No. 129.

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10 IT IS SO ORDERED.

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12 Dated: May 1, 2012

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14 EDWARD M. CHEN
15 United States District Judge
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